

CENTRAL FAX CENTER

SEP 06 2005

PTO/SB/21 (09-04)

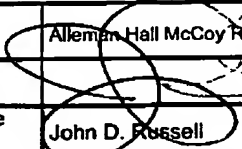
Approved for use through 07/31/2006. OMB 0651-0031

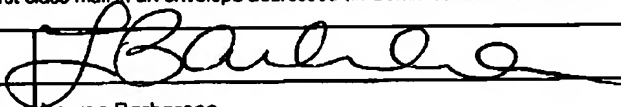
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/822,111	
	Filing Date	April 9, 2004	
	First Named Inventor	David K. Bidner	
	Art Unit	3748	
	Examiner Name	Tu Minh Nguyen	
Total Number of Pages in This Submission	3	Attorney Docket Number	81100062

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Allen, Hall McCoy Russell & Tuttle LLP	
Signature		
Printed name	John D. Russell	
Date	September 6, 2005	Reg. No. 47,048

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	Lauren Barberena
Date	September 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

SEP 06 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

September 6, 2005

DAVID K. BIDNER and GOPICHANDRA SURNILLA

Serial No. : 10/822,111

Group Art Unit: 3748

Filed : April 9, 2004

Examiner: Tu Minh Nguyen

For : DEGRADATION DETECTION METHOD FOR AN ENGINE
HAVING A NOX SENSORCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

RESPONSE TO OFFICE ACTION

In response to the Office Action dated June 3, 2005, Applicants respectfully request reconsideration.

In the Office action, the Examiner maintains the same rejections as previously made. Further, the Office action includes additional arguments on page 5, labeled "Response to Arguments."

First, Applicants incorporate by reference the arguments previously presented in the response mailed May 19, 2005, as they are still applicable.

Second, Applicants also disagree with the Examiner's assertions on page 5. Although many words are cited from the reference, the Office action fails to cite any disclosure of adjusting a fuel injection amount into the internal combustion engine based on an output from the downstream air-fuel ratio sensor of Suzuki et al. In fact, the Office action seems to admit that this feature is missing by stating that it is "obvious" that Suzuki et al. has the feature.

Page 1 - AMENDMENT

Serial No. 10/822,111; Record ID 81100062

Specifically, the Office action states on page 6 that:

It is also obvious to one with ordinary skill in the art that Suzuki et al. also utilize this theoretical air-fuel ratio maintaining duration to terminate the rich engine air-fuel ratio since the end of this theoretical air-fuel ratio maintaining duration signals a rich break through of the catalyst and that the catalyst is completely purged of stored NOx.

As such, the rejection should be withdrawn.

Based on the foregoing comments, the above-identified application is believed to be in condition for allowance, and such allowance is courteously solicited. If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account No. 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505. A duplicate copy of this sheet is enclosed.

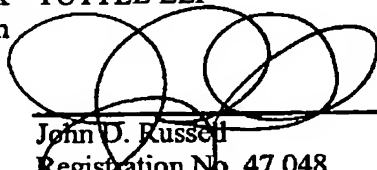
CERTIFICATE OF FACSIMILE

Respectfully submitted,

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile to (703) 872-9306 on September 6, 2005.

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP


Lauren Barberena


John D. Russell
Registration No. 47,048
Customer No. 36865
of Attorneys for Applicant
806 SW Broadway, Suite 600
Portland, Oregon 97205
Telephone: (503) 459-4141
Facsimile: (503) 459-4142

Page 2 - AMENDMENT

Serial No. 10/822,111; Record ID 81100062